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5 Attorney for Defendants
GREGORY BLANK
6 DAVID TENNENBAUM

7
8
9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA
11

12 UNITED STATES OF AMERICA,)
13)
14 Plaintiff,)

15 vs.)

16 (1) APPROXIMATELY \$29,900 IN)
UNITED STATES CURRENCY AND)
17 (2) APPROXIMATELY \$21,000 IN)
UNITED STATES CURRENCY,)
18)
19)

20 Defendants.)
21)

22 GREGORY BLANK and,)
DAVID TENNENBAUM)

23 Claimants.)
24)

No. C-07-2755-JL

**ANSWER OF CLAIMANTS TO
VERIFIED COMPLAINT FOR
FORFEITURE; DEMAND FOR
TRIAL BY JURY**

25 Claimants, GREGORY BLANK and DAVID TENNENBAUM, hereby answer the
26 allegations in the Government's Complaint for Forfeiture as follows:

27 1. In response to the allegations contained in paragraph 1 of the Complaint,
28 claimants deny each and every allegation contained therein.

1 2. In response to the allegations contained in paragraph 2 of the Complaint,
2 claimants admit the allegations contained therein.

3 3. In response to the allegations contained in paragraph 3 of the Complaint,
4 claimants admit the allegations contained therein.

5 4. In response to the allegations contained in paragraph 4 of the Complaint,
6 claimants admit the allegations contained therein.

7 5. In response to the allegations contained in paragraph 5 of the Complaint,
8 claimants admit that claimants declared under penalty of perjury a claim of interest in said
9 monies.

10 6. In response to the allegations contained in paragraph 6 of the Complaint,
11 claimants admit the allegations contained therein.

12 7. In response to the allegations contained in paragraph 7 of the Complaint,
13 claimants admit the allegations contained therein.

14 8. In response to the allegations contained in paragraph 8 of the Complaint,
15 claimants admit the allegations contained therein.

16 9. In response to the allegations contained in paragraph 9, claimants admit to
17 traveling from John F. Kennedy Airport in New York on JetBlue flight #107 to Oakland and that
18 claimants were carrying United States Currency. In regards to the remaining allegations
19 contained in paragraph 9, claimants deny each and every allegation contained therein.

20 10. In response to the allegations contained in paragraph 10 of the Complaint,
21 claimants lack sufficient information to form a belief as to the truth of the allegations contained
22 therein, and, on those grounds, deny each and every allegation contained therein.

23 11. In response to the allegations contained in paragraph 11 of the Complaint,
24 claimants lack sufficient information to form a belief as to the truth of the allegations contained
25 therein, and, on those grounds, deny each and every allegation contained therein.

26 12. In response to allegations contained in paragraph 12 of the Complaint,
27 claimants deny each and every allegation contained therein.

28 13. In response to allegations contained in paragraph 13 of the Complaint,

1 claimants deny each and every allegation contained therein.

2 14. In response to allegations contained in paragraph 14 of the Complaint,
3 claimants deny each and every allegation contained therein.

4 15. In response to allegations contained in paragraph 15 of the Complaint,
5 claimants deny each and every allegation contained therein.

6 16. In response to allegations contained in paragraph 16 of the Complaint, claimants
7 lack sufficient information to form a belief as to the truth of the allegations contained therein,
8 and, on those grounds, deny each and every allegation contained therein.

9 17. In response to allegations contained in paragraph 17 of the Complaint, claimants
10 lack sufficient information to form a belief as to the truth of the allegations contained therein,
11 and, on those grounds, deny each and every allegation contained therein.

12 18. In response to allegations contained in paragraph 18 of the Complaint, claimants
13 lack sufficient information to form a belief as to the truth of the allegations contained therein,
14 and, on those grounds, deny each and every allegation contained therein.

15 19. In response to allegations contained in paragraph 19 of the Complaint, claimants
16 lack sufficient information to form a belief as to the truth of the allegations contained therein,
17 and, on those grounds, deny each and every allegation contained therein.

18 20. In response to the allegations contained in paragraph 21 of the Complaint,
19 claimants deny each and every allegation contained therein.

20 21. In response to the allegations contained in paragraph 21 of the Complaint,
21 claimants deny each and every allegation contained therein.

22 22. In response to the allegations contained in paragraph 22 of the Complaint,
23 claimants deny each and every allegation contained therein.

24 23. In response to the allegations contained in paragraph 23 of the Complaint,
25 claimants deny each and every allegation contained therein.

26 In addition, claimants raise the following defenses to the government's forfeiture
27 complaint:

28 FIRST AFFIRMATIVE DEFENSE

1 As a separate and affirmative defense to the Complaint on file herein, claimants allege
2 that said Complaint does not state facts sufficient to state a claim for forfeiture of defendant
3 property against claimants.

4 SECOND AFFIRMATIVE DEFENSE

5 As a further separate and affirmative defense to the Complaint on file herein, claimants
6 allege that plaintiff did not meet the burden of proof for either the institution of this forfeiture
7 suit, the seizure of claimants' property, or the forfeiture of defendant property.

8 PLEASE TAKE NOTICE THAT CLAIMANTS DEMAND TRIAL BY JURY OF THE
9 ISSUES AND DEFENSES RAISED BY THEIR CLAIM AND ANSWER.

10 WHEREFORE, claimants GREGORY BLANK and DAVID TENNENBAUM prays that
11 this Court will:

- 12 1. Dismiss plaintiff's Complaint and enter a judgment on behalf of claimants.
- 13 2. Order that all of defendant property be released and surrendered to claimants
14 forthwith.
- 15 3. Provide such other and further relief as this court deems proper and just.

16
17 DATED: August 10, 2007

Respectfully Submitted,

20 _____
21 STUART HANLON
22 Attorney for Defendants
23 GREGORY BLANK
24 DAVID TENNENBAUM
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